

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION**

**LASHONDA ROCHELLE NEAL,**

**Plaintiff,**

**v.**

**COMMISSIONER OF  
SOCIAL SECURITY,**

**Defendant.**

**Civil No.: 1:18cv00214-JMV**

**FINAL JUDGMENT**

This cause is before the court on Plaintiff's complaint for judicial review of an unfavorable final decision of the Commissioner of the Social Security Administration denying a claim for supplemental security income. The parties have consented to entry of final judgment by the United States Magistrate Judge under the provisions of 28 U.S.C. § 636(c), with any appeal to the Court of Appeals for the Fifth Circuit. The court, having reviewed the administrative record, the briefs of the parties, and the applicable law, and having heard oral argument, finds as follows:

Consistent with the court's ruling from the bench during a hearing held January 7, 2020, the court finds the ALJ's residual functional capacity ("RFC") assessment is not supported by substantial evidence in the record. Specifically, the ALJ found, among other things, the claimant could "have moderate exposure to fumes, odors, dusts, gases, and poor ventilation." Ultimately, the ALJ rejected the opinion of Dr. Karen Maltby, the claimant's treating asthma/allergy specialist, that the claimant should avoid all exposure to a litany of

environmental irritants and conditions—including, but not limited to, the ones listed by the ALJ—and did so without any explanation or support from the record.

On remand, the ALJ must reevaluate the medical source opinion of Dr. Maltby with respect to the claimant's need to avoid environmental irritants and conditions. If the ALJ rejects any environmental restriction listed by Dr. Maltby, the ALJ must state good cause supported by substantial evidence in the record. Additionally, if necessary, the ALJ must obtain supplemental vocational expert evidence on the issue of whether there are any jobs the claimant can perform, considering all her limitations. Ultimately, the ALJ will issue a new decision but may conduct any additional proceedings not inconsistent with this decision.

**IT IS, THEREFORE, ORDERED AND ADJUDGED that this case is  
REVERSED and REMANDED for further proceedings.**

This, the 8<sup>th</sup> day of January, 2020.

/s/ Jane M. Virden  
U. S. MAGISTRATE JUDGE